

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1-9 (Canceled)

10. (previously presented) A surgical system, comprising:

a surgical instrument, comprising:

an elongated support tube having a proximal end, a distal end and an inner surface having a longitudinal groove therein; and

an elongated inner rod having a proximal end, a distal end and a longitudinal protrusion wherein said inner rod is slidably and coaxially disposed within said support tube wherein said longitudinal protrusion is slidably engaged with said longitudinal groove of said inner surface of said elongated support tube; and

a gastric band releasably secured to said distal end of said inner rod wherein said distal movement of said rod exposes said gastric band.

11. (previously presented) The surgical system of claim 10 wherein said proximal end of said elongated rod includes a thumb ring.

12. (previously presented) The surgical system of claim 10, wherein said gastric band is releasably secured to said distal end of said elongated inner rod by way of one or more pins.

13. (previously presented) The surgical system of claim 12, wherein said gastric band is releasably secured to said distal end of said elongated inner rod by way of two pins.
14. (canceled)
15. (previously presented) The surgical system of claim 10, wherein said elongated inner rod further comprises a shelf at said distal end for releasably securing said gastric band.
16. (previously presented) The surgical system of claim 10, wherein said elongated support tube is between about 30mm and about 50mm in length.
17. (previously presented) The surgical system of claim 10, wherein said elongated support tube is between about 10mm and about 20mm in diameter.
18. (previously presented) The surgical system of claim 17, wherein said elongated support tube is between about 12mm and about 15mm in diameter.
19. (previously presented) The surgical system of claim 17, wherein said proximal end of said elongated support tube includes a handle.

20. (Original) A method for implanting a gastric band into a patient, comprising the steps of:
- (a) providing a surgical instrument for deploying an adjustable gastric band having:
    - (i) an elongated support tube having a proximal end and a distal end;
    - (ii) an elongated inner rod slidably and coaxial disposed within said support tube having:
      - (1) a proximal end;
      - (2) a distal end comprising a shelf having one or more pins located thereon;
    - (iii) a gastric band releasably secured to said one or more pins of said shelf of distal end of said inner rod wherein said distal movement of said inner rod exposes said gastric band;
  - (b) providing a trocar;
  - (c) inserting the trocar into the abdomen of the patient;
  - (d) inserting the distal end of the support tube into the trocar;
  - (e) distally moving the inner rod of the surgical instrument thereby exposing the gastric band within the abdomen of the patient;
  - (f) removing the gastric band from the inner rod of the surgical instrument;
  - (g) proximally moving said inner rod of the surgical instrument;
  - (h) removing the support tube from the trocar.

21. (currently amended) A surgical instrument for deploying an adjustable gastric band comprising:

an elongated support tube having a proximal end and an open distal end sized to encompass a gastric band, said elongated support tube further comprising an inner surface having a longitudinal groove therein; and

an elongated inner rod having a proximal end and a distal end wherein said distal end comprises a shelf for supporting a gastric band, said shelf having one or more pins disposed thereon for releasably engaging a gastric band, said elongated inner rod further comprising a longitudinal protrusion;

wherein said inner rod is slidably and coaxially disposed within said support tube wherein said longitudinal protrusion of said elongated inner rod is slidably engaged with said longitudinal groove of said inner surface of said elongated support tube, said rod being slidable from a proximal position, wherein said shelf is retained in said elongated support tube, to a distal position, wherein said rod exposes at least a portion of said shelf.

22. (previously presented) The surgical instrument of claim 21 wherein said proximal end of said elongated rod includes a thumb ring.

23. (canceled)

24. (currently amended) A surgical system, comprising:

a surgical instrument, comprising:

an elongated support tube having a proximal end and a distal end, said elongated support tube further comprising an inner surface having a longitudinal groove therein; and

an elongated inner rod having a proximal end, a distal end and a shelf at said distal end for releasably securing a gastric band, said elongated inner rod further comprising a longitudinal protrusion, wherein said inner rod is slidably and coaxially disposed within said support tube wherein said longitudinal protrusion of said elongated inner rod is slidably engaged with said longitudinal groove of said inner surface of said elongated support tube; and

a gastric band releasably secured to said shelf of said inner rod wherein said distal movement of said rod exposes said gastric band.

25. (previously presented) The surgical system of claim 24 wherein said proximal end of said elongated rod includes a thumb ring.

26. (previously presented) The surgical system of claim 24, wherein said gastric band is releasably secured to said distal end of said elongated inner rod by way of one or more pins.

27. (previously presented) The surgical system of claim 26, wherein said gastric band is releasably secured to said distal end of said elongated inner rod by way of two pins.

28. (canceled)

29. (previously presented) A surgical system, comprising:

an adjustable gastric band; and

a surgical instrument, comprising:

an elongated support tube having a proximal end and an open distal end sized to encompass the adjustable gastric band; and

an elongated inner rod having a proximal end and a distal end wherein said distal end comprises a mechanism releasably engaged to the adjustable gastric band;

wherein said inner rod is slidably and coaxially disposed within said support tube, said rod being slidable from a proximal position, wherein said mechanism retains the adjustable gastric band in the elongated support tube, to a distal position, wherein said rod exposes said mechanism and at least a portion of the adjustable gastric band.

30. (previously presented) A surgical system, comprising:

an adjustable gastric band comprising a trailing conduit; and

a surgical instrument, comprising:

an elongated support tube sized to encompass said trailing conduit of said adjustable gastric band, said elongated support tube also having a proximal end and an open distal end sized to encompass said adjustable gastric band; and

an elongated inner rod having a proximal end and a distal end, said adjustable gastric band releasably secured to said distal end;

wherein said inner rod is slidably disposed within said support tube, said rod being slidable from a proximal position, wherein said adjustable gastric band is retained in said elongated support tube, to a distal position, wherein said rod exposes at least a portion of said adjustable gastric band.

31. (previously presented) A surgical instrument for deploying an adjustable gastric band comprising:

an elongated support tube having a proximal end, a distal end and an inner surface having a longitudinal groove therein; and

an elongated inner rod having a proximal end, a distal end and a longitudinal protrusion, wherein said distal end comprises a shelf for supporting a gastric band, said shelf having one or more pins disposed thereon for releasably engaging a gastric band;

wherein said inner rod is slidably and coaxially disposed within said support tube wherein said longitudinal protrusion of said elongated inner rod is slidably engaged with said longitudinal groove of said inner surface of said elongated support tube and wherein said distal movement of said rod exposes said shelf.



32. (previously presented) A surgical system, comprising:

an unencircled adjustable gastric band; and

a surgical instrument, comprising:

an elongated support tube having a proximal end and an open distal end sized to encompass said unencircled adjustable gastric band; and

an elongated inner rod having a proximal end and a distal end, said unencircled adjustable gastric band releasably secured to said distal end;

wherein said inner rod is slidably disposed within said support tube, said rod being slidable from a proximal position, wherein said adjustable gastric band is retained in said elongated support tube, to a distal position, wherein said rod exposes at least a portion of said adjustable gastric band.